

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of:
N. MIYADERA, et al. : Group Art Unit: 2874
Appln. No. 10/573,810 : Examiner: John M. Bedtelyon
Filed: MARCH 28, 2006 : Confirmation No: 9359
For: LIGHT BRANCHING OPTICAL WAVEGUIDE

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS**

Mail Stop: APPEALS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

March 3, 2010

Sir:

In accordance with the provisions of 37 CFR 41.31, Applicants hereby appeal the rejection of claims 1-21, 24, 25 and 28-40, as set forth in the Office Action dated September 3, 2009.

The requisite fee of \$540 is submitted herewith. Also enclosed is a Petition for a three-month extension of time, along with the requisite fee (\$1,110.00).

Respectfully Submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

By /William I. Solomon/
William I. Solomon
Registration No. 28,565

WIS/ksh
1300 N. 17th St., Ste. 1800
Arlington, Virginia 22209
Tel: 703-312-6600
Fax: 703-312-6666